

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Vernon Overmeyer v Steve Bos**
Docket No. **259764**
L.C. No. **00-036335-NZ**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the order being appealed is not a MCR 7.202(6)(a)(i) final order, but a postjudgment order that can be appealed by application for leave to appeal only. The MCR 7.202(6)(a)(i) final order, which according to the register of actions has not been entered yet, would be a no cause of action in favor of Wolohan Lumber Company in conforming with this Court's opinion in docket number 247469 (appellants would not be aggrieved by such an order). The issue involving the surety bond involves postjudgment matters that do not fall within any definition of MCR 7.202(6)(a)(i) especially in light of the fact that one of the entities trying to appeal is not even a named party in the underlying lawsuit.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN - 5 2005

Date

Sandra Schultz Mengel
Chief Clerk